TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE Transcriber's Office

March 29, 1999 LB 550

SENATOR VRTISKA: Okay, thank you very much. And, Senator Coordsen.

SENATOR SCHIMEK: Senator Coordsen.

SENATOR COORDSEN: Senator Vrtiska.

SENATOR VRTISKA: You've been listening to our discussion and I guess the only part that I would ask of you, in fact, and I think Senator Brashear pointed this out in fact, what your bill would do in case of hard times, in case of a turnaround in the economy would be to protect the supplier who thought they had good...who thought the credit was good. And I guess the question I have to ask you is the same one I asked him, wouldn't...wouldn't the supplier of the merchandise at the time that he extended credit have an opportunity to find out whether this person actually had borrowed up to his limit at the bank already?

SENATOR SCHIMEK: One minute.

SENATOR COORDSEN: Absolutely right, and that's the reason. This, bear in mind, I'll repeat it again, as I understand it puts back into statute currently existing language. It leaves everything the way it is so that when a person checks the central lien records at the Secretary of State's Office, they are assured that they have notice of all of the property that is being used as chattel for other loans as well as where it's located, i.e., the legal description. What, as I understand it, again, and I would again stand to be corrected, but it was explained to me that the reason to take this out was so that if the primary lender, the person with the first position, the bank, makes a mistake and doesn't have all of the...

SENATOR SCHIMEK: Time.

SENATOR COORDSEN: ...property down, then it creates for them a problem.

SENATOR VRTISKA: Thank you.